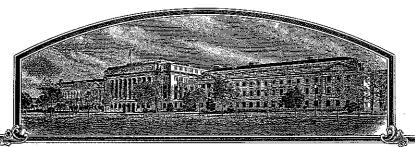
No.



200300338

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME?

Resource Seeds, Inc.

THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW. THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE MIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR ORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE PURPOSE. OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT FY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

TRITICALE

'346'

In Testimone Mercot, I have hereunto set my hand and caused the seal of the Flant Inviety Frotection Office to be affixed at the City of Washington, D.C. this fifth day of June, in the year two thousand and six.

Allest.

Commissioner

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

tary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C 552a) and the Paperwork Reduction Act (PRA) of 1995.

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE (Instructions and information collection burden statement on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426)

| (Instructions and information coll | ection burden statement on re | everse) | | (* 0.0.0.212.) | , miormation is nela confident | iai unui cerunc | ale is issued (7 U.S.C. 2426). |
|---|--|--|--|--|--|---|--|
| name of owner Seeds, Inc. | | | | | 2. TEMPORARY DESIGNA EXPERIMENTAL NAME RSI 346 | TION OR | 3. VARIETY NAME 346 |
| 4. ADDRESS (Street and No., or R.F.D. No. | ., City, State, and ZIP Code, and Coun | ntrv) | 1 | | 5. TELEPHONE (include ar | · | |
| 2280 Hecker Pass Highwa | | | | | 408/847-1051 | | FOR OFFICIAL USE ONLY |
| Gilroy, California 95020 | y | | | • | 100,011 | ~ · | PVPO NUMBER |
| Ginoy, Camonia 55020 | | | | | 6. FAX (include area code) | Co. | 0030033 |
| | | | | 1. | 408/847-0 | 504 | FILING DATE |
| 7. IF THE OWNER NAMED IS NOT A "PER ORGANIZATION (corporation, partnership Corporation) | SON", GIVE FORM OF o, association, etc.) | B. IF IN | CORPORA TE OF INCO | TED, GIVE DRPORATION ITOTITIA | 9. DATE OF INCORPORAT October 1 | | September 22, 20 |
| 10. NAME AND ADDRESS OF OWNER REI | PRESENTATIVE(S) TO SERVE IN THI | I S APPLIC | ATION. (Fin | st person listed will re | ceive all papers) | | FILING AND EXAMINATION |
| | | | 1 | | | | SE FEES: |
| Dr. George Fohner | | | | | | | \$:3652.∞ |
| Resource Seeds, Inc. | | | | | | | 製 01-1- |
| P.O. Box 1319 | • | | | | | | 题 DATE 7/22/03 |
| Gilroy, CA 95021 | and the Michigan Community of the Commun | ÷ | | ** | | | V CERTIFICATION FEE: |
| • • | | | | • | | | E |
| | • | | | • | | | ి : . (68. అ |
| | | | | • | | | DATE 3/2//200 |
| 11. TELEPHONE (Include area code) | 12. FAX (Include area code) | | 13. E-MA | .IL | ~ | 14. CROP | KIND (Common Name) |
| 408/847-1051 | 408/847-0604 | | ٤ | george@resou | rceseeds.com | Tritic | cale |
| g. Fiting and Examination Fee States" (Mail to the Plant Variety 2. HAS THE VARIETY (INCLUDING ANY HAI | History of the Variety ness of Variety of the Variety (Optional) is of the Owner's Ownership intreated seeds or, for tuber propagated be depositied and maintained in an a part of the Protection Office) | d varieties pproved p ie United PRODUC | , ublic | 20. DOES THE OV VARIETY BE LIFYES, WHICH LIMITED AS TO IFYES, SPECII NUMBER 1, 2, (If additional experience) | EED? See Section 83(a) of (If "yes", answer items 20 and 21 below) VNER SPECIFY THAT SEED (IMITED AS TO NUMBER OF GENERATION OF THE IMITED AS TO NUMBER OF GENERATION FY THE IMITED AS TO NUMBER OF GENERATION FY THE IMITED AS TO NUMBER OF GENERATION FOUNDATION IS necessary, please | OF THIS CLASSES? THON R ASSES BE S? ON Use the space | YES NO YES NO EGISTERED CERTIFIED YES NO REGISTERED CERTIFIED A rindicated on the reverse.) |
| FROM THIS VARIETY BEEN SOLD, DISPO OTHER COUNTRIES? | OSED OF, TRANSFERRED, OR USEC |) IN THE | J. S. OR | PROPERTY RI | Y OR ANY COMPONENT OF SHT <i>(PLANT BREEDER'S RIG</i> | THE VARIETY HT OR PATE | PROTECTED BY INTELLECTUAL NT)? |
| (YES) | NO | | l | YEŞ | .` | NO |) |
| IF YES, YOU MUST PROVIDE THE DATE FOR EACH COUNTRY AND THE CIRCUN | OF FIRST SALE, DISPOSITION, TRA ISTANCES. (Please use space indical | NSFER, C | DR USE | IF YES, GIVE CO REFERENCE NO | DUNTRY, DATE OF FILING O UMBER. <i>(Please use space in</i> | R ISSUANCE dicated on rev | AND ASSIGNED erse.) |
| 4. The owners declare that a viable sample of for a tuber propagated variety a tissue cultu. The undersigned owner(s) is(are) the owner and is entitled to protection under the provise. Owner(s) is(are) informed that false represe GNATURE OF OWNER WHE (Please print or type) George Fohner | basic seed of the variety will be furnish e will be deposited in a public reposite of this sexually reproduced or tuber p ions of Section 42 of the Plant Variety | ned with ap ory and ma ropagated Protection | oplication an aintained for plant variet Act. | y, and believe(s) that | the variety is new, distinct, uni | ith such regul | ations as may be applicable, or ole as required in Section 42, |
| PACITY OR TITLE | DATE | | | CARACITY OF THE | | . 44 | Laure |
| President | 916 | /03 | | CAPACITY OR TITL | 5 | | DATE |

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for,\$2,450 (\$300 filing fee and \$2,150 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are:self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$300 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

> Plant Variety Protection Office Telephone: (301) 504-5518 FAX: (301) 504-5291

ITEM

Homepage: http://www.ams.usda.gov/science/pvp.htm

18a Give-

- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
- (2) the details of subsequent stages of selection and multiplication;
- (3) evidence of uniformity and stability; and
- (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties.
 - (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
- 19. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
- See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
- 23. See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.
- 22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

USA, October 2002. Prior to October 2002, only used for field tests and seed multiplication under the supervision and control of Resource Seeds, Inc.

3. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the ariety is protected by intellectual property right (Plant Breeder's Right or Patent).)

OTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's presentative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or signment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 175(h) of the Regulations and Rules of Practice.)

avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, ilding 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089.

Public reporting burden for this Effection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and ntaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for scing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all vibiled bases apply to all programs. Persons with disabilities who require alternative means for race, color, nanonal onlyin, sex, religion, age, disability, powers beliefs, and manufacture of ununications at (202) 720-2791. To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USOA is

-470 (6-98) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (03-96) which is obsolete.

'346' TRITICALE

Exhibit A. Origin and breeding history of the variety.

Triticale "346" originated from the cross T57/Beagle//T57. T57 is a winter-type triticale variety bred by Dr. Arpad Kiss in Hungary and grown commercially in that country in the early 1970's. Beagle is a spring-type triticale variety bred and released by CIMMYT (International Maize and Wheat Improvement Center).

"346" was developed by the pedigree method of breeding, with plant selection in the F1, F2, F3, and F4 generations. In the F5, 200 heads were selected and planted in single rows. Seeds from individual head rows that were phenotypically similar were in increased in plots. The plots were rechecked for plant type, height, awn length, maturity, and then bulked for breeder seed for planting in the fall of 1998. 346 has been phenotypically stable through five generations of seed multiplication

On the basis of our experience of producing pre-breeder, breeder and foundation seed, the variety 346 appears to be stable and uniform. No notable variants have been observed or reported during multiple generations of seed multiplication and certification.

'346' TRITICALE

Exhibit B. Statement of Distinctness

346 triticale is most similar to the triticale variety, "348". It differs from 348 by having wispy but longer awns compared to the awnleted 348, being approximately eleven inches shorter (Table B1), and flowering five days earlier.

Table B1. Height (cm)

| | 346 | 348 | Significance Level |
|--------------------|------|------|--------------------|
| | | | |
| Vega, TX 2000-2001 | 42.6 | 53.8 | p < 0.01 |

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE LIVESTOCK, MEAT, GRAIN AND SEED DIVISION BELTSVILLE, MARYLAND 20705 OBJECTIVE DESCRIPTION OF VARIETY

| TRITICALE | |
|---|---------------------------------------|
| NAME OF APPLICANT(S) | VARIETY NAME OR TEMPORARY DESIGNATION |
| RESOURCE SEEDS, INC. | 346 |
| ADDRESS (Street and No., or F.F.D. No., City, State, and ZIP Code) | FOR OFFICIAL USE ONLY |
| P.O. BOX 1319, GILROY, CA 95021 | PVPO NUME |
| Place the appropriate number that describes the varietal character of this variety in the Place a zero in first box (e-s-089 or 09) when number is either 99 or less of | he boxes below. |
| 1. GROWTH HABIT: | |
| 3 1 = SPRING 2 = INTERMEDIATE 3 = WINTER | |
| Juvenile Plant Growth: 1 = PROSTRATE 2 = SEMIPROSTRATE | 3 = ERECT |
| Photoperiod: 1 = INSENSITIVE 2 = SENSITIVE | |
| 2. PLOIDY: | |
| 1 1 = HEXAPLOID 2 = OCTOPLOID 3 = OTHER (Specify) | |
| 4 2 2n CHROMOSOME NUMBER | |
| 3. MATURITY (50% Flowering): | |
| 3 1 = VERY EARLY 2 = EARLY 3 = MIDSEASON 4 = LA | ATE 5 = VERY LATE |
| 0 5 DAYS EARLIER THAN348 1 = CA | RMACK 2 = ROSNER 3 = PATHFINDER |
| DAYS LATER THAN | A 204 5 = ARMADILŁA |
| 4. HEIGHT: | |
| 1 0 8 CM. HIGH 4 = MIDTAL | |
| 2 8 CM. SHORTER THAN 348 | RMACK 2 = ROSNER 3 = PATHFINDER |
| CM. TALLER THAN | A 204 5 = ARAMADILLA |
| 5. PLANT COLOR AT BOOT STAGE: | |
| 3 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN | |
| 6. STEM: | |
| 1 Anthocyanin: 1 = ABSENT 2 = PRESENT | |
| Neck Hairiness: 1 = NONE 2 = SLIGHT 3 = MODERATE | 4 = HEAVY |
| Shape Of Neck: 1 = STRAIGHT 2 = WAVY 3 = OTHER (Spe | cify) |
| 7. LEAVES: | |
| 2 Flag Leaf: 1 = NOT TWISTED 2 = TWISTED 2 DCM. L | EAF LENGTH: 1st Leaf Below Flag Leaf |
| L. T. T. | EAF WIDTH: 1st Leaf Below Flag Leaf |
| Leaf Carriage: 1 = UPRIGHT 2 = RECURVED 3 = DROOPING 1 Auricle Color: | 3 = OTHER (Specify) |
| FORM LMGS-470-33 (3-83) (Formerly Form GR-470-33, 8/75 which may be used.) | Page 1 of 3 |

Page 2 of 3

| 8. H | IEAD: |
|--------|---|
| 2 | Density: 1 = LAX 2 = MIDDENSE 3 = DENSE |
| 1 | Shape: 1 = FUSIFORM 2 = OBLONG 3 = CLAVATE 4 = ELLIPTICAL 5 = OTHER (Specify) |
| 4 | Awnedness: 1 = AWNLESS 2 = APICALLY AWNLETTED 3 = AWNLETTED 4 = AWNED |
| 1-2 | Awn Color: 1 = WHITE 2 = YELLOW 3 = TAN 4 = BROWN 5 = BLACK |
| 1 | 2 CM. HEAD LENGTH 1 3 MM. HEAD WIDTH |
| 9. G | LUMES AT MATURITY: |
| | Pubescence: 1 = GLABROUS 2 = SLIGHTLY PUBEŞCENT 3 = PUBESCENT |
| 1 | Color: 1 = WHITE 2 = YELLOW 3 = TAN 4 = BROWN 5 = BLACK |
| 3 | Length: 1 = SHORT 2 = MIDLONG 3 = LONG 2 Width: 1 = NARROW 2 = MIDWIDE 3 = WIDE |
| 1 | Shoulder: 1 = WANTING 2 = OBLIQUE 3 = ROUNDED Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE |
| 10, C | OLEOPTILE COLOR: |
| 2 | 1 = WHITE 2 = GREEN 3 = PURPLE |
| 11. S | EED: |
| | · |
| 3 | Shape: 1 = OVATE 2 = OVAL 3 = ELLIPTICAL |
| 2 | Smoothness: 1 = SMOOTH 2 = SLIGHTLY WRINKLED 3 = WRINKLED |
| 3 | Brush Area: 1 = SMALL 2 = MIDSIZE 3 = LARGE |
| 3 | Brush Length: 1 = SHORT 2 = MIDLONG 3 = LONG |
| | Phenol Reaction: 1 = IVORY 2 = FAWN 3 = LIGHT BROWN 4 = BROWN 5 = BROWN BLACK |
| 6 | Color: 1 = WHITE 2 = AMBER 3 = RED 4 = PURPLE 5 = BLACK 6 = OTHER (Specify) light brown |
| 4 3 | GMS. PER 1,000 SEED Texas low irrigation production |
| 12. DI | SEASE (0 = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Tolerant): |
| 0 | STEM RUST (Races) LEAF RUST (Races) |
| 0 | STRIPE RUST (Race) |
| 0 | POWDERY MILDEW BACTERIAL STRIPE |
| 0 | SEPTORIA YELLOW DWARF |
| | OTHER(Specify)OTHER(Specify) |
| 13, IN | SECT (O = Not Tested, 1 = Susceptible, 2 = Resistant, 3 = Tolerant): |
| 0 | GREENBUG HESSIAN FLY RACE: GP A B C |
| 0 | CEREAL LEAF BEETLE DE F G |
| | OTHER (Specify) |
| FORM I | _MGS-470-33 (3-83) |

14. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

200300338

| CHARACTER | | VARIETY |
|--------------------|-----|---------|
| PLANT TILLERING | 336 | |
| WINTER HARDINESS | 762 | |
| AREA OF ADAPTATION | 762 | |
| SEED SHAPE | | *. |

REFERENCES:

L. W. Briggle and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, USDA.

W. E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, Contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts.

COMMENTS:

| U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE | The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995. | | | |
|--|---|---|--|--|
| EXHIBIT E STATEMENT OF THE BASIS OF OWNERSHIP | Application is required in order to de certificate is to be issued (7 U.S.C. 2- until certificate is issued (7 U.S.C. 2426 | 421). Information is held confidential | | |
| 1. NAME OF APPLICANT(S) | 2. TEMPORARY DESIGNATION | 3. VARIETY NAME | | |
| | OR EXPERIMENTAL NUMBER | | | |
| RESOURCE SEEDS, INC. | .RSI 346 | 346 | | |
| 4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) | 5. TELEPHONE (include area code) | 6. FAX (include area code) | | |
| P.O. Box 1319, Gilroy, CA 95021 | 408/847-1051 7. PVPO NUMBER | 408/847-0604 | | |
| | 2003 | 00338 | | |
| 8. Does the applicant own all rights to the variety? Mark an "X" in appropri | riale block. If no, please explain. | YES NO | | |
| | | | | |
| 9. Is the applicant (individual or company) a U.S. national or U.S. based of | ompany? | YES NO | | |
| If no, give name of country 10. Is the applicant the original owner? YES | (O 'If no, please answer one of the f | ollowina: | | |
| 10. Is the applicant the original owner? | 40 - 11 tho, prease answer one or are r | | | |
| a. If original rights to variety were owned by individual(s), is (are) the o | riginal owner(s) a U.S. national(s)? | | | |
| ☐ YES ☐ ! | NO If no, give name of country | | | |
| b. If original rights to variety were owned by a company(ies), is(are) the | e original owner(s) a U.S. based company | y? | | |
| YES I | If no, give name of country | | | |
| 11. Additional explanation on ownership (if needed, use reverse for extra s | pace): | | | |
| | | | | |
| | | | | |
| · Box · · · · · · · · · · · · · · · · · · · | g.a. gu | | | |
| PLEASE NOTE: | | | | |
| Plant variety protection can be afforded only to owners (not licensees) who meet o | ne of the following criteria: | | | |
| If the rights to the variety are owned by the original breeder, that person must be which affords similar protection to nationals of the U.S. for the same genus and | ee a U.S. national, national of a UPOV memb species. | oer country, or national of a country | | |
| If the rights to the variety are owned by the company which employed the originember country, or owned by nationals of a country which affords similar protection. | nal breeder(s), the company must be U.S. ba ection to nationals of the U.S. for the same | used, owned by nationals of a UPOV genus and species. | | |
| 3. If the applicant is an owner who is not the original owner, both the original own | ner and the applicant must meet one of the a | bove criteria. | | |

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to compete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and markal or familial status.

(Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.